

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: June 20, 2007

CALLED TO ORDER: 5:36 p.m.

ADJOURNED: 6:35 p.m.

### ATTENDANCE

#### Attending Members

Mary Moriarty Adams, Chair  
Vernon Brown  
Sherron Franklin  
Lynn McWhirter  
William Oliver  
Lincoln Plowman  
Cherrish Pryor

#### Absent Members

Scott Schneider

### AGENDA

PROPOSAL NO. 273, 2007 - appoints Jesse B. Lynch to the Board of Public Safety  
"Do Pass" Vote: 7-0

PROPOSAL NO. 274, 2007 - appropriates \$187,521 in the 2007 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund a "Fatality Crash Reduction Effort" focusing on reducing crashes on local roadways and county interstates, funded by a grant to the Marion County Traffic Safety Partnership from the Indiana Criminal Justice Institute  
"Do Pass" Vote: 7-0

PROPOSAL NO. 275, 2007 - approves an increase of \$5,644,044 in the 2007 Budget of the Department of Public Safety, Fire Division (Fire Service District and Fire Pension Funds) to provide operational expenses, including salaries, benefits, supplies, contracts and equipment associated with the consolidation of the Warren Township Fire Department into the Indianapolis Fire Department, financed by 2007 tax levy, County Option Income Tax and other revenues transferred from Warren Township to the City of Indianapolis  
"Do Pass as Amended" Vote: 7-0

PROPOSAL NO. 276, 2007 - approves an increase of \$47,348 in the 2007 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to fund mental health services, sentencing consultants and an intra-family violence diversion program, funded by a federal grant administered by the Indiana Criminal Justice Agency  
“Do Pass” Vote: 7-0

Update from Community Corrections regarding Juvenile Home Detention shift to Juvenile Probation – Brian Barton, Director of Community Corrections

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, June 20, 2007. Chair Mary Moriarty Adams called the meeting to order at 5:36 p.m. with the following members present: Vernon Brown, Sherron Franklin, Lynn McWhirter, William Oliver, Lincoln Plowman, and Cherrish Pryor. Absent was Councillor Scott Schneider.

Chair Moriarty Adams asked for consent to bring the update by Community Corrections to the head of the agenda. Consent was given.

### Update from Community Corrections regarding Juvenile Home Detention shift to Juvenile Probation – Brian Barton, Director of Community Corrections

Mr. Barton said there is a potential transfer of the Juvenile Home Detention program back to Juvenile Probation. Two years ago the Home Detention program was moved to Community Corrections to open up the Juvenile Center and to try to leverage more money. He said a lot of goals were met by moving the program to Community Corrections; however, the Juvenile Judge and others felt that the Home Detention program should return to Juvenile Probation. Mr. Barton said this decision went before the Community Corrections Advisory Board and the board approved the shift. Mr. Barton said with the shift, Community Corrections can concentrate on adults.

Robert Bingham, Chief Probation Officer, said the transfer benefits Community Corrections and the Juvenile Probation operation because it allows Community Corrections to focus on adults and the work release center. He said the Juvenile Probation Office has committed to a program called Juvenile Detention Alternatives Initiative, which is a very aggressive program to decrease the population at the Detention Center. He said by decreasing the population, they have to come up with alternatives to supervise and treat some of the juvenile issues. Mr. Bingham said Home Detention provides a component to supervise juveniles via electronic equipment or supervise them at the home with staff. He said all of the Department of Corrections' (DOC) funding will be transferred from Community Corrections to the Probation Department. He said they are ready to implement the shift by July 1, 2007, with approval.

Chair Moriarty Adams asked if there will be a shift in personnel. Mr. Bingham replied in the negative and said they have two individuals that are current Probation staff and they will hire two additional staff members.

Councillor Oliver asked what determines if a juvenile is put on an electronic monitor. Mr. Bingham said it depends on the level of risk the juvenile will pose to the community. Councillor Oliver asked if there is a cost to the juvenile or guardian. Mr. Bingham said there is a cost of 80 cents per day, assumed by the Probation Department.

Councillor Pryor asked if the funding would need to be transferred before the shift begins. Mr. Barton said a fiscal proposal is forthcoming and they will start their grant year in July 2007. He said all the counties were delayed in getting their notice from DOC.

Councillor Brown moved, seconded by Councillor Pryor, to approve the shift of Juvenile Home Detention to Juvenile Probation. The motion carried by a vote of 7-0.

PROPOSAL NO. 273, 2007 - appoints Jesse B. Lynch to the Board of Public Safety

Mr. Lynch said he was employed with Indianapolis Public Schools (IPS) for over 37 years and retired in 2001. Some of his positions at IPS were Assistant Principal, Principal of several IPS schools, and Regional Director in charge of all IPS on the south side of the city. He said he is interested in this board position because he has always worked with children and the public. He is also retired and would like to give something back to the community. Mr. Lynch said he believes he could be a useful person on the board because he is a good listener and has been involved in several problem-solving situations.

Earl Morgan, Director of Public Safety, said he welcomes Mr. Lynch's appointment to the board and looks forward to working with him.

Councillor Brown asked if Mr. Lynch will be taking Dr. Brown's position on the board. Mr. Morgan replied in the affirmative and said the July meeting will be Dr. Brown's last meeting.

Councillor McWhirter asked if there are any restrictions on serving on two boards at the same time. Mr. Lynch said he researched this issue, and as long as he is not on a paid board, there is no problem.

Chair Moriarty Adams added that the background check was successful.

Councillor Brown moved, seconded by Councillor Pryor, to send Proposal No. 273, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 274, 2007 - appropriates \$187,521 in the 2007 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund a "Fatality Crash Reduction Effort" focusing on reducing crashes on local roadways and county interstates, funded by a grant to the Marion County Traffic Safety Partnership from the Indiana Criminal Justice Institute

Lisa Bentley, Chief of Operations, Prosecutor's Office, said this is a multi-agency effort that will focus on reducing crashes along roadways and interstates. Don Bickel, Director of the Marion County Traffic Safety Partnership for the Prosecutor's Office, said they will be concentrating on high crash intersections and interstates. He provided the committee with a list of those intersections (Exhibit A, attached).

Councillor Pryor asked for an explanation on what would be done at these locations. Mr. Bickel said officers will be working individually and as groups looking for aggressive driving and any other violations that cause most crashes within Marion County.

Councillor McWhirter asked if there are any other restrictions, such as lights, lanes, or signage that can be improved by the Council in these areas. Mr. Bickel said the primary issues are the amount of traffic and driving behavior in these areas. However, officers do note any type of defects or automatic signal problems that may lead to crashes.

Robert Yahara, citizen, said he supports this proposal because 86<sup>th</sup> and 71<sup>st</sup> Streets really need to be addressed.

Councillor Brown moved, seconded by Councillor McWhirter, to send Proposal No. 274, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 275, 2007 - approves an increase of \$5,644,044 in the 2007 Budget of the Department of Public Safety, Fire Division (Fire Service District and Fire Pension Funds) to provide operational expenses, including salaries, benefits, supplies, contracts and equipment associated with the consolidation of the Warren Township Fire Department (WTFD) into the Indianapolis Fire Department (IFD), financed by 2007 tax levy, County Option Income Tax and other revenues transferred from Warren Township to the City of Indianapolis

Terri Falker, Chief Financial Officer with the Department of Public Safety, said they are seeking the approval to appropriate a sum that is estimated to fund the anticipated merger of WTFD into IFD. The amount is estimated to fund Characters 01 – 05 beginning July 1, 2007 through December 2007. She said they are requesting \$5,298,119, and the appropriation will be funded through the Fire General Fund and the Fire Pension Fund. The General Fund amount will be \$4,445,354, and the Fire Pension amount will be \$854,565. Ms. Falker said the merger will bring several enhancements to the public and firefighters' safety. This merger will eliminate the need for either WTFD or IFD to take out emergency loans to cover the \$1.2 million estimated operating deficit of 2007.

Councillor McWhirter asked if there is an amendment to the proposal, because Ms. Falker's numbers do not match the current proposal. Chair Moriarty Adams replied in the affirmative and directed the committee to the amendment (Exhibit B, attached).

Councillor Brown moved, seconded by Councillor Oliver, to "Amend" Proposal No. 275, 2007 per Exhibit B. The motion carried by a vote of 7-0.

Councillor Franklin asked if additional funding is needed in addition to the requested transfer from WTFD. Ms. Falker replied in the affirmative and said the amendment reflects the reduction that the tax levy will have on IFD. Robert Clifford, City Controller, said WTFD will turn over their property tax levy to the City of Indianapolis for 2007, a portion of their County Option Income Tax (COIT), and any remaining revenues that are left from the first half of the year. He said they should receive the funding within the next month or two. Councillor Franklin asked for additional clarification. Mr. Clifford said revenues will be transferred from WTFD to appropriate money to the IFD to pay firefighters and any other operating expenses. Councillor Franklin asked if the transfer is WTFD's COIT that they currently obtained. Mr. Clifford replied in the affirmative and said WTFD taxes now become the revenues of the City of Indianapolis.

Councillor Brown asked for clarification on the \$345,000 shortfall. Mr. Clifford said the Department of Local Government Finance (DLGF) cut the budget they approved for IFD because of the shortage of fund balance for revenues in the second half of 2006. He said IFD showed a negative fund balance; therefore, DLGF increased the budget by the amount that would have been negative. Mr. Clifford said IFD cannot withstand a \$350,000 budget cut, and this should be a temporary cut to balance the budget. He said when additional revenues are identified, they need to be transferred to IFD. Councillor Brown asked what the WTFD operating budget is for a 12-month period. Ms. Falker said it is between \$10 and \$12 million.

Chair Moriarty Adams asked for clarification on IFD having a negative fund balance the last half of 2006. Mr. Clifford said because the revenues were short the last half of 2006, they would have had a negative fund balance in 2007, if the appropriation were not completed.

Jeff Seidenstein, Budget Manager, Office of Finance and Management, said the state requires the city to do an 18-month projection of the budget, and last summer they projected the revenues from July through December 2006 and four months of projections for 2007. The budget is based on these projections and revenues, and when the revenues fell short in 2006, then the balance at the end of 2007 would be \$345,000 less than anticipated. Therefore, the budget needed to be cut in order to not have a negative balance at the end of this year.

Mr. Clifford said, for the most part, they did not have any significant reductions in any other appropriations. Mr. Seidenstein added that the County Capital Release Fund was reduced by the state because of a miscalculation, but will not impact the budget.

Mr. Yahara said this proposal is an example of the complexity of government and how long it takes to work things through between the city and state.

Councillor Franklin asked if this proposal is funded with the 2007 COIT that was increased last year. Mr. Clifford replied in the negative and said this proposal will be funded with WTFD COIT. Councillor Franklin asked if they are asking for additional money that is not available or to raise taxes in addition to transferring money from Warren Township. Mr. Clifford replied in the negative.

Councillor Pyror moved, seconded by Councillor Franklin, to send Proposal No. 275, 2007 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 276, 2007 - approves an increase of \$47,348 in the 2007 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to fund mental health services, sentencing consultants and an intra-family violence diversion program, funded by a federal grant administered by the Indiana Criminal Justice Agency ICJA)

Judy Spray, Sentencing Director for the Public Defender Agency, said this is the third year of this grant, and the time frame is July 1, 2007 until December 31, 2007. The total project cost is \$78,913. The federal portion will fund \$47,348, and the local match is \$31, 565. She said the local match consists of \$23,845 in salary and fringes, operating expenses of \$4,269, and a contribution from Midtown Mental Health Center for \$3,452. No new money is needed to fund the local match. She went on to explain each program funded by this grant (found in Proposal No. 276, 2007, attached)

Councillor Brown asked how many juveniles re-offended that completed the programs. Ms. Spray said they did not track re-offenders in the first year of the program, but this is part of the new grant to track re-offenders.

Councillor Oliver asked what the savings is with juvenile diversion. Ms. Spray said they have not tracked the savings, but will start tracking the savings and re-offenders.

Councillor Oliver asked what kind of offenses the juveniles are committing. Ms. Spray said, for the most part, it is battery on a family member or related offenses.

Mr. Yahara said crime needs to be defined in order to properly address it and find a solution.

Public Safety and Criminal Justice Committee

June 20, 2007

Page 6

Councillor Pryor moved, seconded by Councillor Brown, to send Proposal No. 276, 2007 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:35 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chair  
Public Safety and Criminal Justice Committee

MMA/as